



CANADA

Environment,
Labour and Justice

Victims of Crime Act *2011-2012* *Annual Report*



Twenty-third Annual Report

Victims of Crime Act
R.S.P.E.I. 1988, Cap. V-3.1

April 1, 2011 - March 31, 2012
Prince Edward Island Department of Environment, Labour and Justice
PO Box 2000, Charlottetown, PE C1A 7N8



Environment, Labour
and Justice

Environnement,
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September 2012

The Honourable H. Frank Lewis
Lieutenant Governor
Province of Prince Edward Island

May it Please Your Honour:

I have the honour to submit the Twenty-third Annual Report of the administration of the *Victims of Crime Act*, R.S.P.E.I. 1988, Cap. V-3.1 pursuant to section 36 of the *Act*, for the fiscal year ended March 31, 2012.

Respectfully submitted,

Janice Sherry
Minister of Environment, Labour and Justice
and Attorney General



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Executive Summary

Trends in Client Demand

- There were 1,050 new cases referred to Victim Services in 2011-2012, in addition to approximately 560 cases carried forward from the previous year. As of March 31, 2012, there were 800 active cases across the province. The average monthly caseload in 2011-2012 was 705 cases.
- In 2011-2012, Victim Services assisted in the preparation and filing of 262 victim impact statements. Over the past ten years, the number of victim impact statements filed has ranged from 157 to 340.
- During the fiscal year 2011-2012, 37 new applications for criminal injuries compensation were filed, and 101 applications were carried over from the previous year. Twenty four final decisions and twelve interim decisions were made in 2011-2012. A total of \$95,756 was awarded in criminal injury compensation.
- In 2011-2012, there were 45 applications for Emergency Protection Orders under the *Victims of Family Violence Act*. Since the proclamation of the Act in December 1996, there have been a total of 631 Emergency Protection Orders granted.

Offence Type and Offender Information

- The most frequent types of crime for Victim Services cases in 2011-2012 were:
 - assaults (32 percent)
 - thefts (15 per cent)
 - sexual assaults (9 per cent)
 - uttering threats (9 per cent)
 - wilful damage (6 per cent)
- In 311 cases (30%), there was a family type relationship between the victim and the suspect or offender. In 256 cases (24%), the suspect or offender was a male partner or ex-partner (either current or former husband,

common-law husband, or boyfriend).

Highlights and Initiatives:

- Through the Victims of Crime Fund, Policy Centre for Victim Issues, Justice Canada, Victim Services was able to secure renewed funding in support of services for victims of crime in PEI. The Province entered into a renewed Project Funding Agreement with the Minister of Justice and Attorney General of Canada for the period April 1, 2011 to March 31, 2016, to provide up to \$1,212,499 in federal funding. The Funding Agreement provides for a continuation of a previously funded position in the Queens Region, increases the Victim Services Worker position in the Western Region to full time due to increased workload demands in Prince County, and provides funding for a number of training and development projects to be carried out over the next four years.
- A Memorandum of Understanding between RCMP "I" Division and the Province was signed in August 2011 to facilitate information sharing and increase police referrals to Victim Services. In January 2012, Memorandums of Understanding were also signed with the three Municipal Police Departments in PEI. These agreements are supported by a Ministers Directive Regarding Assistance for Victims of Crime. Overall, referrals to Victim Services in 2011-2012 increased by 18% compared to the previous year.
- Brochures for Francophone victims of crime were updated and distributed, and the Francophone Victim Assistant Program was promoted through presentations and distribution of print materials.

Sommaire

Tendances de la demande des clients

- En 2011-2012, 1 050 cas ont été transmis au Service d'aide aux victimes, en plus d'environ 560 cas reportés de l'année précédente. En date du 31 mars 2012, il y avait 800 cas actifs dans la province. En moyenne, le nombre de cas par mois était de 705.
- En 2011-2012, le Service d'aide aux victimes a aidé à préparer et à déposer 262 déclarations de victime. Au cours des dix dernières années, le nombre de déclarations de victime déposées a varié de 157 à 340.
- Durant l'exercice financier 2011-2012, 37 nouvelles demandes d'indemnisation d'actes criminels ont été déposées, 101 ont été reportées de l'exercice précédent et 24 décisions sans appel ainsi que 12 décisions provisoires ont été rendues. Un montant total de 95 756 \$ a été adjugé en indemnisation des victimes d'actes criminels.
- En 2011-2012, on a rendu 45 ordonnances de protection d'urgence dans le cadre de la *Victims of Family Violence Act* (loi sur les victimes de violence familiale). Depuis la proclamation de la loi en décembre 1996, un total de 631 ordonnances de protection d'urgence ont été rendues.

Types d'infractions et renseignements sur les contrevenants

- Les types de crime les plus fréquents parmi les cas traités par le Service d'aide aux victimes en 2011-2012 étaient les suivants :
 - voies de fait (32 pour cent);
 - vols (15 pour cent);
 - agressions sexuelles (9 pour cent);
 - profération de menaces (9 pour cent);
 - avaries faites avec intention (6 pour cent).
- Dans 311 cas (30 pour cent des cas), il y avait une relation familiale entre la victime et le suspect ou le contrevenant. Dans 256 cas (24 pour cent des cas), le suspect ou le contrevenant était un partenaire ou un ex-partenaire mâle (soit le mari actuel ou l'ex-mari, le conjoint de fait ou le petit ami).

Faits saillants et initiatives

- Grâce au Fonds d'aide aux victimes du Centre de la politique concernant les victimes, Justice Canada, le Service d'aide aux victimes a pu renouveler une source de financement pour appuyer les services aux victimes d'actes criminels à l'Î.-P.-É. En effet, le gouvernement provincial a signé une nouvelle entente de financement avec le ministre de la Justice et le procureur général du Canada. L'entente sera en vigueur du 1^{er} avril 2011 au 31 mars 2016 et fournira jusqu'à 1 212 499 \$ en fonds fédéraux. Entre autres, elle permettra de poursuivre la rémunération d'un poste établi dans le comté de Queens; de convertir un poste de travailleur des Services d'aide aux victimes dans la région de l'ouest en poste à temps plein vu l'augmentation de la demande dans le comté de Prince; et de financer plusieurs projets de formation et de développement au cours des quatre prochaines années.

- La division « L » de la GRC et le gouvernement provincial ont signé un protocole d'entente en août 2011 pour faciliter le partage d'information et inciter la police à orienter plus de gens vers le Service d'aide aux victimes. En janvier 2012, des protocoles d'entente ont également été signés avec les trois services de police municipaux de l'Î.-P.-É. Ces ententes sont appuyées par une directive ministérielle sur l'aide aux victimes d'actes criminels. Au total, les cas transmis au Service d'aide aux victimes ont augmenté de 18 pour cent en 2011-2012 par rapport à l'année précédente.
- Les dépliants français pour les victimes d'actes criminels ont été mis à jour et distribués. En outre, le programme d'aide aux victimes francophones a été promu par le biais de présentations et de documents imprimés.

Part I

Introduction

The *Victims of Crime Act*, R.S.P.E.I. 1988, Cap.V-3.1 was proclaimed in force September 30, 1989. Regulations and orders under the act also came into force on that date. Extensive amendments to the act came into effect August 7, 1999.

The Statement of Principles contained in Part I of the *Victims of Crime Act* sets out the following principles for the guidance of persons in providing justice for victims of crime:

- a) Victims should be treated with courtesy and compassion and with respect for their dignity, privacy, and convenience.
- b) Victims should receive prompt and fair financial redress for the harm they have suffered.
- c) Victims should be informed of and should have access to services including social, medical, legal, and mental health assistance.
- d) Victims should be informed about the progress of the investigation and prosecution of the offence, court procedures, the role of the victim in court proceedings, and the ultimate disposition of the proceedings.
- e) Victims are entitled, where their personal interests are affected, to have their views and concerns brought to the attention of the court where consistent with criminal law and procedure.
- f) Victims and their families should be protected from intimidation, retaliation, and harassment.

- g) Victims should have their stolen property returned to them as soon as possible after recovery by law enforcement authorities.
- h) Victims are entitled to prepare a victim impact statement and have it considered by the court at sentencing.
- i) Victims are entitled to be informed about the offender's status, including release dates, parole eligibility, and probation terms.

The *Victims of Crime Act* also establishes the Victim Services Advisory Committee, the Victim Services Program, the Victim Assistance Fund, and the Criminal Injuries Compensation Program.

Part II

Report of the Victim Services Advisory Committee

Committee Mandate

The Victim Services Advisory Committee is established under *Victims of Crime Act* with the mandate to:

- a) review existing laws, policies and procedures and recommend changes to benefit victims;
- b) assist law enforcement agencies, social agencies and other organizations with the development of guidelines that promote the principles set out in this *Act* relating to their role in respect of victims;
- c) assist with establishing and updating procedures for the handling of complaints by victims;
- d) assist with the research, development and distribution of information pertaining to the needs, rights and concerns of victims;
- e) provide opportunities for research, discussion, and resolution of issues of concern to victims; and
- f) advise on other matters that the Minister may refer to the Committee for consideration.

The Committee may make recommendations to the Minister relating to:

- a) the development of policies and legislation respecting assistance to victims;
- b) the provision of services, including criminal injuries compensation, to victims; and
- c) any other matters that the Minister refers to the Committee for its recommendation.

Committee Membership and Meetings

Members of the Victim Services Advisory Committee as of March 31, 2012, and the organizations they represent are as follows:

David Daughton	Community Legal Information Association
Yolande Richard	Law Society of Prince Edward Island
Cheryl Schurman	Crown Attorneys
Sigrid Rolfe	P.E.I. Rape and Sexual Assault Centre
Paula Finkle	Community Programs, Department of Justice and Public Safety
Chief Lewis Sutherland	P.E.I. Association of Chiefs of Police
Sgt. Andrew Blackadar	R.C.M.P. "L" Division
Ellen Ridgeway	PEI Family Violence Prevention Inc.
Melissa Coffin	PEI Association for Newcomers to Canada
Janet O'Brien	Court Services
Lori St. Onge	Aboriginal Community
Sr. Norma Gallant	Francophone Community and Seniors
Gwyn Davies	Advisory Council on the Status of Women

The Committee is assisted in its operations by the Victim Services Provincial Manager and Secretary. The Director of Justice Policy Division, Department of Environment, Labour and Justice, and the Adjudicator for Criminal Injury Compensation with Legal Services Division also provide assistance and information to the committee.

During the 2011-2012 fiscal year, the Victim Services Advisory Committee held meetings in June, September and January. The Committee was chaired by Donna Langille until the expiry of her term in December 2011. On the retirement of Donna Langille, Executive Director of Community Legal Information Association, the Committee expressed appreciation to Donna for her contribution over the past six years, both as a committee member and Chair.

The activities of the Committee during 2011-2012 included the following:

Police Referrals to Victim Services

The Committee was advised of work undertaken to increase police referrals to Victim Services. Agreements have been signed between Police Agencies and the Province to enhance the referral process, supported by a Ministers Directive Regarding Assistance for Victims of Crime.

Child Witness/Parent Surveys

The Committee provided feedback on survey tools designed to evaluate supports and services for children who participate in the criminal justice system. The brief questionnaire will be implemented by Victim Services to obtain feedback from child victims/witnesses and parents, and to improve children's experience in the court.

Guest Speakers

The Committee invited guest speakers on a number of topics:

- Ron Taylor, Casework Supervisor at the Provincial Correctional Centre, provided an overview of the Adult Custody Client Profile in PEI. This profile was conducted using information from offenders incarcerated at both adult correctional facilities, focussing on a two month snapshot during the period April 1, 2010 to May 31, 2010. The diverse and challenging issues related to adult offenders involved in the justice system were discussed.

- Karen MacDonald, Provincial Manager, Community Programs, presented a comprehensive overview of the Youth Corrections Client Profile completed in 2011, with comparisons to a similar profile completed in 2007. Also highlighted was work being undertaken to reduce youth involvement in the justice system, including approaches that address both high risk to re-offend, as well as early intervention for those at risk of becoming involved in criminal activity.

Information Items

A number of information items were brought to the attention of the Victim Services Advisory Committee during the year. Some of these included:

- Legislative Updates:
 - amendments to federal and provincial legislation which have implications for victims and witnesses;
 - Bill C-21 (sentencing for fraud and provisions for victims of white collar crime);
 - Bill C-10 (Safe Streets and Communities Act).
- Training Initiatives
 - annual police training on family violence;
 - Aboriginal Justice Program: training initiatives and new publications;
 - Training for Aboriginal and Francophone Victim Assistants;
 - Girls Circle Training - a strength based program for crime prevention.
- Program/Policy Development:
 - New program called "Aspire" developed by PEI Family Violence Prevention Services to work with women experiencing challenging situations as a result of family violence. The program includes assistance with career development, goal setting and mentoring;
 - "Girls Work Project" initiated to develop a comprehensive and integrated approach to service delivery specific to girls within Community and Correctional Services. The project will target a decrease in the number of girls entering the adult system.
- Awareness Initiatives:
 - Public Presentation: How Communities Can Support Families Bereaved by Suicide Loss - September, 2011
 - Sisters in Spirit Vigil - October 4, 2011
 - Restorative Justice Week - November 13-20, 2011
 - Purple Ribbon Campaign Against Violence - December 2011
 - Family Violence Prevention Week - February 14-20, 2012
 - National Victims of Crime Awareness Week activities - April 22-28, 2012
 - World Elder Abuse Awareness Day - June 15, 2012
- Conference Announcements:
 - Human Trafficking Conference - April 18, 2011
 - Atlantic Coordinating Committee on Crime Prevention Conference - May, 2011
 - Child Sexual Abuse Advisory Committee Conference - May 9, 10, 2011
 - Identification and Care of Strangulation Victims - May 24, 2011
 - Complex Forms of Post-Traumatic Stress Disorder: A Treatment Overview and Update - June 9, 10, 2011
 - Atlantic Summer Institute - Symposium on Gender and Community Leadership - August 17-18, 2011

- Loss and Traumatic Loss: New Understandings and New Directions - September 22-23, 2011
- Aboriginal Justice Forum - October 21, 2011
- Access to Family Justice Think Tank - November 25, 2011
- Statistics Canada Reports
 - Homicide in Canada, 2010
 - Canadians Perception of Personal Safety and Crime, 2009
 - Victimization of Older Canadians, 2009: Highlights
- Other Information Items:

Federal/provincial initiatives

- reports from meetings of the F/P/T Ministers of Justice; and the F/P/T Working Group on Victims of Crime;
- Meeting of FPT Working Group on Victims of Crime held in PEI May 12-13, 2011;
- Federal funding sources and criteria for victims of crime initiatives;

Violence prevention and equality initiatives

- Inventory of Services for Survivors of Sexual Assault;
- overview of "Start the Conversation" Video developed by Justice Options for Women to help someone begin a conversation with a friend or family member who may be living in family violence;
- resources developed by the Advisory Council on the Status of Women to raise awareness on issues of equality;
- information on the Canadian National Network of Women's Shelters;

Crime prevention initiatives

- initiatives to combat impaired driving;
- Health Canada Project focussed on developing a number of presentations in French, including information on Frauds and Scams, and Abuse and Harassment;
- information on Seniors Safety Program related to cyber security;

Access to legal information

- changes to Lawyer Referral Service;
- information sessions on "Best Interest of the Children in Custody and Access";
- information sessions on the Courts in PEI, delivered by Supreme Court Judges and retired Judges;
- Community Legal Information Association: new publications and project updates

Respectfully submitted,



Donna Langille, Chair

Part III

Report of the Victim Services Program

Victim Services has provided a criminal justice system-based service to victims of crime province-wide since April, 1989. The system-based approach has the following key attributes:

- operates within the criminal justice system, but independently from the police, Crown attorneys, or the courts;
- is client-centred;
- maintains close working relationships with criminal justice personnel and community agencies;
- assists victims of crime at all stages of the criminal justice process;
- uses an outreach approach.

Mandate

Section 7 of the *Victims of Crime Act* states that the purpose of Victim Services is:

- a) to assist victims as needed throughout their contacts with the criminal justice system;
- b) to help victims to access other needed services;
- c) to receive applications for criminal injuries compensation and investigate claims on behalf of the Minister;
- d) to assist with the preparation and filing of victim impact statements;
- e) to assist justice personnel and community agencies in providing services to victims;
- f) to promote the Statement of Principles set out in section 2 of the *Act*.

Mission Statement

Victim Services provides a client-centred service for victims of crime, ensuring respect for their dignity and privacy. Victim Services assists clients throughout their involvement with the criminal justice process.

Vision Statement

Victims Services' vision is that:

- all victims of crime on Prince Edward Island who require assistance through the criminal justice process will be referred at the earliest opportunity to Victim Services; and
- the response of all criminal justice personnel will be guided by the Statement of Principles in the *Victims of Crime Act*.

Goals

Victim Services goals are:

- to provide prompt, effective assistance to victims of crime, especially victims of crimes against the person, but not excluding any victim who needs assistance through the criminal justice process;
- to tailor the assistance provided to meet the needs of the particular client;
- to provide services to any victim of crime requiring assistance, regardless of their geographic location on Prince Edward Island;
- to investigate criminal injuries compensation claims and complete the case analysis for each claim as quickly as possible;
- by working collaboratively with the police and Crown attorneys, to ensure that all victims of crimes in which charges are laid are informed of their right to prepare and file a victim impact statement;
- to ensure that victims understand the

implications of preparing and filing a victim impact statement and do so voluntarily;

- to promote the use of the *Victims of Family Violence Act* in appropriate cases.

Statistical Overview

Assistance provided to victims of crime includes:

- information about case status, the criminal justice system, and court procedures;
- emotional support and short term counselling;
- referrals for legal, financial and long term counselling services;
- assistance through the court process and with preparation of victim impact statements;
- investigation of applications for criminal injuries compensation; and
- assistance under the *Victims of Family Violence Act*.

Victim Services cases are categorized in the following classifications: general, sexual abuse, female partner abuse, other family abuse, and commercial/business. The percentage breakdown of new cases by case classification in 2011-2012, and a comparison with previous years, are noted as follows:

Victim Services New Cases			
Type of Client			
	2009/10	2010/11	2011/12
General*	50	57	47
Female Partner Abuse	29	26	26
Other Family Abuse	19	7	10
Sexual Abuse	9	9	9
Commercial/ Business	3	1	8

* General includes break and enter, damage to property, theft, general assaults, impaired driving causing injury or death, etc.

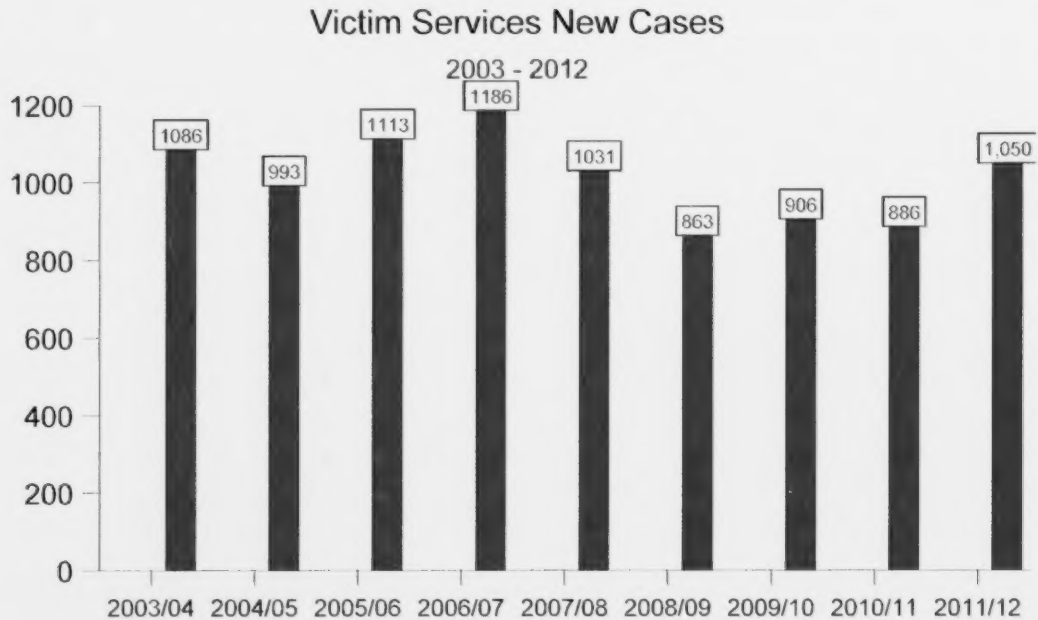
The following table illustrates the total and percentage of each type of case opened in 2011-2012. The table also indicates the police agency involved with each case.

Table I Victim Case Classification: New Cases 2011-2012						
Police Jurisdiction	General	Sexual Abuse	Female Partner Abuse	Other Family Abuse	Commercial/ Business	TOTAL
West Prince RCMP	22	6	19	5	2	54
Borden PD*	0	0	1	1	0	2
Charlottetown PD	226	20	80	14	73	413
Queens District RCMP	78	16	56	37	5	192
Kensington PD	3	0	5	0	0	8
Montague RCMP	59	8	36	14	1	118
East Prince RCMP	23	15	19	13	0	70
Summerside PD	57	16	38	7	7	125
Souris RCMP	15	5	10	8	0	38
Out of Province/or Not Specified	11	7	10	2	0	30
Totals	494	93	274	98	88	1050
Percentile	47	9	26	10	8	100

* Borden Police Department was dissolved on April 30, 2012 by Borden Carlton Council. Policing services for this jurisdiction are provided on an interim basis by East Prince RCMP.

Caseload Trends

There were 1,050 new cases referred to Victim Services in 2011-2012, in addition to approximately 560 cases carried forward from the previous year. As of March 31, 2012, there were 800 active cases across the province.



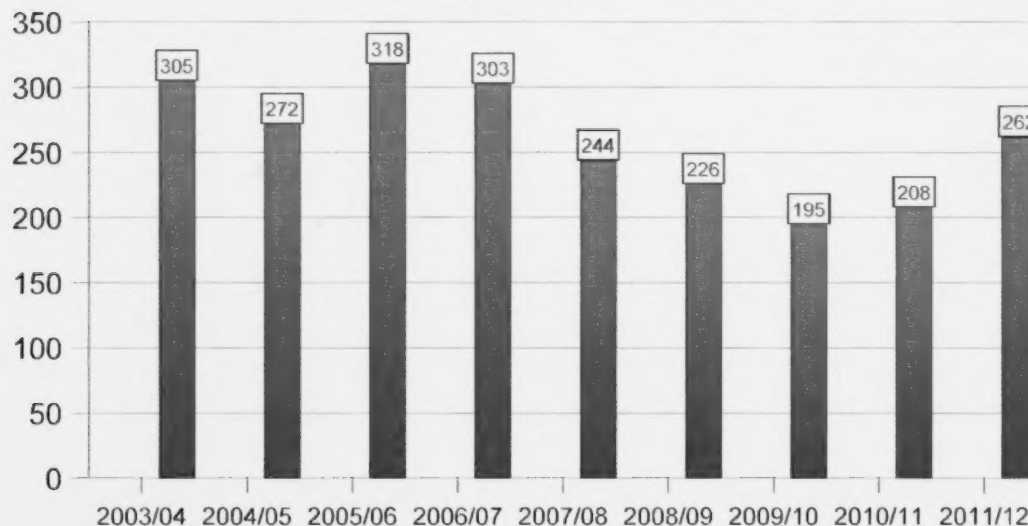
Victim Impact Statements

Victim Services is designated by Lieutenant Governor in Council as the program responsible for preparing and filing victim impact statements. Victim impact statements outline the physical, emotional, and financial effects of the crime on the victim. After determination of guilt, the judge takes victim impact statements into consideration when deciding on sentence.

In 2011-2012, there were 262 victim impact statements prepared and filed with the court. The trends since 2003 are illustrated in the graph below:

Victim Impact Statements Prepared

2003 - 2012



Offence Type and Offender Information

Assaults, including all levels of assault from common assault to aggravated assault, continue to be the most frequent type of crime in Victim Services' cases, representing 32 percent of the new cases in 2011-2012. The next most frequent types of crime for Victim Services cases were: thefts (15%), sexual assaults (9%), uttering threats (9%), and wilful damage (6%).

In 311 cases (30%), there was a family type relationship between the victim and the suspect or offender. In 256 cases (24%), the suspect or offender was a male partner or ex-partner (either current or former husband, common-law husband, or boyfriend).

The proportion of Victim Services clients victimized by adult offenders compared with young offenders has been consistent over the years. In the new cases where an offender was identified, 92 percent of the offenders were adults, and 8% were youth.

Age Range and Gender of Victims

Age ranges of Victim Services' new clients were as follows:

under 12 years	2%
12 - 20 years	15%
21 - 40 years	33%
41 - 60 years	19%
61 years and over	6%
unknown/not recorded	25%

Seventy percent of Victim Services' new clients were females, and 30 per cent males.

Criminal Injuries Compensation

Under the *Victims of Crime Act*, Victim Services is responsible for investigating claims for criminal injuries compensation. Victim Services staff also assist victims with preparing their applications and gathering information to support their claims. Victim Services staff prepare a case analysis regarding each claim.

Designated persons within the Legal Services Section of the Department of Environment, Labour and Justice are responsible for adjudicating claims and writing a report, including recommendations, to the Minister who makes decisions regarding claims.

During the fiscal year 2011-2012, 37 new applications for criminal injuries compensation were filed, and 101 applications were carried over from the previous year. Twenty four final decisions and twelve interim decisions were made in 2011-2012. A total of \$95,756 was awarded in criminal injury compensation.

Further information and statistics regarding criminal injuries compensation are contained in Part IV of the Annual Report.

Victims of Family Violence Act

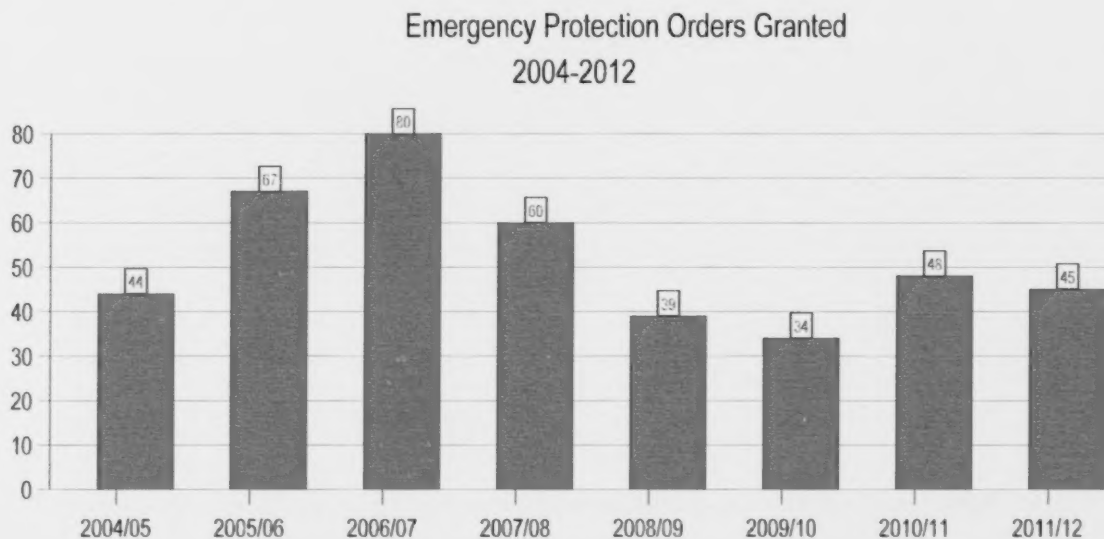
The *Victims of Family Violence Act* came into effect in December 1996. This provincial law addresses the need for victims to stay in their own homes, provides an additional remedy to supplement the Criminal Code, and enables the justice system to provide a more effective and timely response. Under this act, Emergency Protection Orders are available 24 hours/day from designated justices of the peace.

In non-emergency situations, longer-term Victim Assistance Orders are available by application to the Supreme Court.

Victim Services staff assist with training and ongoing monitoring and promotion of the use of the *Victims of Family Violence Act*. Police officers and victim services workers are designated under the Act to make application for emergency protection orders.

In 2011-2012, there were 45 applications for Emergency Protection Orders under the *Victims of Family Violence Act*. Orders ranged from 13 days to 90 days in duration, with an average length of 54.5 days. Of the 45 orders granted, four were confirmed after a request by the respondent to set aside, and three were varied. There were two applications for a Victim Assistance Order.

Since the proclamation of the Act in December 1996, there have been a total of 631 Emergency Protection Orders granted. The trends since 2003 are illustrated in the graph below:



A Steering Committee continues to meet on a regular basis to assist in monitoring and training related to the Act. In partnership with the PEI Association of Chiefs of Police, the Steering Committee has continued to offer annual police training to implement a standardized response to reported incidents of domestic violence, and to enhance knowledge about risk factors and available options to protect victims.

Victim Services Program Highlights

- Through the Victims of Crime Fund, Policy Centre for Victim Issues, Justice Canada, Victim Services was able to secure renewed funding in support of services for victims of crime in PEI. The Province entered into a renewed Project Funding Agreement with the Minister of Justice and Attorney General of Canada for the period April 1, 2011 to March 31, 2016, to provide up to \$1,212,499 in federal funding. The Funding Agreement provides for a continuation of a previously funded position in the Queens Region, increases the Victim Services Worker position in the Western Region to full time due to increased workload demands in Prince County, and provides funding for a number of training and development projects to be carried out over the next four years.
- A Memorandum of Understanding between RCMP "L" Division and the Province was signed in August 2011 to facilitate information sharing and increase police referrals to Victim Services. In January 2012, Memorandums of Understanding were also signed with the three Municipal Police Departments in PEI. These agreements are supported by a Ministers Directive Regarding Assistance for Victims of Crime. Overall, referrals to Victim Services in 2011-2012 increased by 18% compared to the previous year

- Brochures for Francophone victims of crime were updated and distributed, and the Francophone Victim Assistant Program was promoted through presentations and distribution of print materials.
- A new computerized case management system for Victim Services was developed and implemented.

Committee Participation

An important aspect of the work of Victim Services involves maintaining cooperative working relationships with other criminal justice and community agencies to coordinate case management and to effect positive long term change for victims of crime. Staff participated in committees at various levels involving national, provincial, regional, divisional and community initiatives.

At the Federal/Provincial/Territorial level, the Provincial Manager participated on:

- FPT Victims of Crime Working Group
- Ad Hoc Working Group on Family Violence - Linking Criminal and Family Justice Systems.

Victim Services is represented on community and criminal justice based committees involving work in the area of family violence, sexual abuse, cultural and societal issues. These committees include:

- Steering Committee - *Victims of Family Violence Act*
- Premier's Action Committee on Family Violence Prevention
- Justice Options for Women who are Victims of Domestic Violence
- Provincial Child Sexual Abuse Advisory Committee
- Homophobia Task Force
- Provincial Working Group on Human Trafficking
- World Elder Abuse Awareness Day Committee

- High Risk Offender Committee
- Planning Committee for Aboriginal Justice Forum
- Project Steering Committee - *Mapping Needs and Assets for Aboriginal People Involved in Justice Issues*
- Linking Criminal and Family Justice Systems Working Group
- Atlantic Region Victims Advisory Committee, Correctional Services Canada/Parole Board of Canada.

As part of the Community and Correctional Services Division, Victim Services staff were involved in a number of Departmental and Divisional initiatives including:

- Divisional Training Committee
- Occupational Health and Safety Committee
- Capital Planning Committee.

Education and Training

Victim Services staff participated in various education and training initiatives including:

- Aboriginal Justice Forum
- Care and Advocacy for Victims of Strangulation
- Human Trafficking Workshop
- Conference on Trauma and Loss
- Triple P Parenting - the Difference Parenting Makes
- Provincial Forum on Abuse of Older Adults
- Think Tank on Family Justice
- Conference: "Boys Hurt Too: Understanding and responding to Male Child Sexual Abuse"
- Ghosts of Violence Ballet

Public Education

Victim Services staff participate in opportunities to promote awareness and understanding of issues related to crime, victimization, victims' rights and available services. Presentations during the fiscal year 2011-2012 included:

- Police Training on *Victims of Family Violence Act*
- Elder Gatherings - Lennox Island and Scotchfort
- PEI Association of Chiefs of Police
- Human Services Program - Holland College
- Victim Awareness Training
- Family Violence Prevention Week - Town Hall Meetings
- PEI Rape and Sexual Assault Centre
- Youth Addictions Strength Program

Objectives

In collaboration with government and community partners, the objectives for the 2012/2013 fiscal year include advancing initiatives in the following areas:

- improve the experience of children and other vulnerable witnesses by assisting in the development and implementation of a renewed provincial Child Sexual Abuse Protocol;
- reduce the incidence of impaired driving in PEI;
- improve linkages between the civil and criminal court systems in cases of family violence;
- increase police referrals to Victim Services;
- enhance knowledge and skill level of Victim Services Workers through delivery of specialized staff training initiatives.

Staffing

Victim Services Offices are located in
Charlottetown and Summerside.

Personnel as of March 31, 2012 include:

Provincial Manager
Susan Maynard

Victim Services Workers

Jean Profit
Darlene Oatway
Joy Coffin
Ev Marshall
Linda MacAulay
Kellie MacQueen
Carolyn Peters

Admin Support

Dianna Cudmore
Tabatha Milligan

Part IV

Criminal Injuries Compensation Program

Introduction

Criminal injuries compensation is the payment of money from public funds to compensate victims of crime for pain and suffering and expenses resulting from injury or death caused by certain crimes. Criminal injuries compensation is a fund of last resort, such that other means of compensation or reimbursement are to be sought first.

Authority for Prince Edward Island's Criminal Injuries Compensation Program is contained in Part IV of the *Victims of Crime Act*, which was proclaimed in force September 30, 1989. Amendments to Part IV which came into effect August 7, 1999 were designed to further simplify and speed up the process for assessing compensation claims.

The *Victims of Crime Act* is not retroactive; criminal injuries compensation can only be awarded in respect of an injury or death resulting from a crime that occurred after September 30, 1989.

Values

Criminal injuries compensation is one means to take action on principle (b) from the Statement of Principles in the *Victims of Crime Act*, which states "victims should receive prompt and fair financial redress for the harm they have suffered."

Summary of the Legislation

In general, a claim for criminal injuries compensation may arise in the event of injury or death by an act that occurred in Prince Edward Island, and that injury or death must have directly resulted from the commission of a criminal offence prescribed in the regulations under the *Victims of Crime Act*. The applicant need not be a resident of Prince Edward Island.

The term "injury" is specifically defined in the *Victims of Crime Act* to mean actual bodily harm, including emotional trauma or pregnancy resulting from sexual assault, and mental or nervous shock. If a person suffers only property damage or loss as a result of a prescribed crime, he or she is not eligible for criminal injuries compensation. It is not necessary that anyone be prosecuted or convicted for the crime, but an award may be delayed pending the outcome of the criminal process. A determination of guilt is conclusive evidence that an offence has been committed.

Eligible Applicants

The Minister may order criminal injuries compensation

1. to or for the benefit of the victim;
2. to any person, in respect of financial loss suffered by or expenses incurred by that person as the result of the death or injury of the victim;
3. to any one or more of the dependants of the victim.

Compensable Losses

Compensable losses include:

1. reasonable expenses incurred or likely to be incurred as a result of the victim's injury or death;
2. financial losses resulting from total, partial or temporary disability affecting the victim's capacity for work;
3. financial loss to dependents resulting from the victim's death;
4. pain and suffering;
5. maintenance of a child born as a result of sexual assault;
6. financial loss incurred in respect of grief or sorrow as a result of the victim's death; and
7. other financial loss resulting from the victim's injury, and any other expense that, in the opinion of the minister or, in the case of a small claim, in the opinion of a designated person, it was reasonable to incur.

Maximum Award

The maximum amount payable to **all applicants** in respect of the injury or death of **one victim** is \$15,000. The maximum amount payable to **all applicants** in respect of **one occurrence** (that is, one incident resulting in injury or death to more than one victim) is \$30,000. The award cannot exceed these limits.

Volume of Applications

During the fiscal year 2011-2012, 37 new applications for criminal injuries compensation were filed, and 101 applications were carried over from the previous year. Twenty four final decisions and twelve interim decisions were made in 2011-2012. A total of \$95,756 was awarded in criminal injury compensation.

The following statistical tables summarize the criminal injuries compensation program during 2011-2012:

Table II
Applications – Statistical Summary
April 1, 2011 to March 31, 2012

New applications filed	37
Applications carried over from last year	101
Variation applications	0
Appeals	0
Total	138
Decisions made:	
award denied	2
full award granted	24
interim award	12
reduced award	0
variation	0
Total	38
Withdrawn applications	
Withdrawn applications	2
Files carried forward to next fiscal year	110

Table III
Categories of Victims
(Based on Final and Interim Awards)
April 1, 2011 to March 31, 2012

Types of Victims	Number
General	14
Other family abuse	2
Sexual abuse	13
Female partner abuse	7
Total	36

Table IV Crimes Involved in Final Awards Granted April 1, 2011 to March 31, 2012	
Criminal Code Section	Number of Awards
249 (dangerous operation of motor vehicle)	1
255 (impaired driving causing bodily harm)	1
266 (assault)	6
267 (assault with weapon /causing bodily harm)	11
271 (sexual assault)	3
343 (robbery)	1
430 (mischief causing danger to life)	1
Total	24

Table V Reasons for Reduced and /or Denied Awards April 1, 2011 to March 31, 2012		
Reason	Reduced	Denied
Crime not covered by regulations	0	0
Criminal offence not proven	0	2
Victim culpability/ contributory behaviour	0	0
Victim engaged in lawful activity	0	0
Loss recovered from other sources	0	0
Total	0	2

Table VI Compensation Ordered* April 1, 2011 to March 31, 2012	
Pain and suffering	\$50,650
Expenses	\$45,106
Total Awarded	\$95,756

*Note: Compensation ordered in one fiscal year may be paid out in a different fiscal year (e.g., for dental expenses).

Table VII Age and Gender of Victims (Based on Final and Interim Awards) April 1, 2011 to March 31, 2012	
Age	No. of Victims
under 10	4
11-20	12
21-30	6
31-40	4
41-50	5
51-60	1
61-70	3
71+	1
Total	36
Gender	
Female	26
Male	10
Total	36

Part V

Victim Assistance Fund Victim Services Summary of Revenue and Expenditures

Revenue			
	Budget Amount	Actual Year Ended March 31, 2012	Projects
Victim Surcharge			
- federal offences	45,000	79,362	
- provincial offences	175,000	219,999	
Community Service Work Option	0	0	
Donations/honorarium	0	0	
Restitution/civil suit reimbursement	0	190	
Victims of Crime Fund (Justice Canada)	108,000	163,627	163,627*
Total Revenue	328,000	463,178	163,627
Minus Project Revenue		163,627	
		299,551	

Note:

- * Revenue was received from the Victims of Crime Fund, Justice Canada, in the amount of \$163,627 for two projects:
 Victim Services Worker – Queens County
 Victim Services Worker – Western Region

Expenditures			
	Budget Amount	Actual Year Ended March 31, 2012	Projects
Administration	12,500	10,1855	1,285
Equipment	4,000	2,459	2,325
Materials/supplies	4,200	3,040	0
Professional/Contract Services	1,500	3,744	3,000
Salaries/benefits	599,400	624,030	150,542
Travel	16,600	18,730	4,403
Criminal Injuries Compensation	100,000	102,064	0
Victim Assistants Fees	0	290	0
Total Expenditures	738,200	764,542	161,555
Minus Project Expenditures		161,555	
		602,987	

Note:

Project expenditures were for the two Victim Services projects listed above.

Accounting Procedures:

All revenues and expenditures related to Victim Services are recorded in the accounts of the Province and included in the Public Accounts.



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